

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

----- X	
IN RE TREMONT SECURITIES LAW,	Master File No.:
STATE LAW, and INSURANCE :	08 Civ. 11117 (TPG)
LITIGATION	
:	
----- X	
This Document Relates to: Insurance Action :	ECF CASE
09 Civ. 557 (TPG)	Electronically Filed
:	
----- X	

**MEMORANDUM OF LAW IN SUPPORT OF MOTION  
FOR ALEX G. PATCHEN TO WITHDRAW AS COUNSEL**

TANNENBAUM HELPERN  
SYRACUSE & HIRSCHTRITT LLP  
Attorneys for Defendant Rye Select Broad  
Market Fund, L.P and Rye Select Broad  
Market Insurance Portfolio, LDC  
900 Third Avenue  
New York, New York 10022  
(212) 508-6700

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

----- X	
IN RE TREMONT SECURITIES LAW,	Master File No.:
STATE LAW, and INSURANCE :	08 Civ. 11117 (TPG)
LITIGATION	
:	
----- X	
This Document Relates to: Insurance Action :	ECF CASE
09 Civ. 557 (TPG)	Electronically Filed
:	
----- X	

**MEMORANDUM OF LAW IN SUPPORT OF MOTION  
FOR ALEX G. PATCHEN TO WITHDRAW AS COUNSEL**

Tannenbaum Helpen Syracuse & Hirschtritt LLP (the "Tannenbaum firm") respectfully submits this Memorandum of Law in support of its motion pursuant to Local Civil Rule 1.4 for Alex G. Patchen to withdraw as counsel for defendants, Rye Select Broad Market, L.P. and Rye Select Broad Market Insurance Portfolio, LDC (the "Rye Fund Defendants").

**STATEMENT OF FACTS**

Alex G. Patchen, an associate at the Tannenbaum firm, is leaving the Tannenbaum firm on July 24, 2009. Therefore, we are seeking the permission of the court for Mr. Patchen to withdraw as counsel for the Rye Fund Defendants. The Tannenbaum firm (including Jamie B.W. Stecher, the partner in charge of the engagement) will continue to represent the Rye Fund Defendants in this litigation. See the accompanying declaration of Alex G. Patchen, dated July 24, 2009.

## **ARGUMENT**

### **ALEX G. PATCHEN SHOULD BE ALLOWED TO WITHDRAW AS COUNSEL FOR THE RYE FUND DEFENDANTS**

Local Civil Rule 1.4 states that an attorney “may not withdraw from a case without leave of the court granted by order,” which should be granted upon a showing of “satisfactory reasons for withdrawal or displacement and the posture of the case, including its position, if any on the calendar.” Local Civil Rule 1.4.

Here, Mr. Patchen is leaving the Tannenbaum firm. However, because the Tannenbaum firm will continue to represent the Rye Fund Defendants, there is no prejudice that will arise as a result of the Mr. Patchen’s withdrawal.

We respectfully ask this Court grant leave for Alex G. Patchen to withdraw as counsel for the Rye Fund Defendants.

### CONCLUSION

For the foregoing reasons we respectfully request that this Court issue an order granting leave for Alex G. Patchen to withdraw as counsel for the Rye Fund Defendants.

Dated: New York, New York  
July 24, 2009

TANNENBAUM HELPERN  
SYRACUSE & HIRSCHTRITT LLP

By: /s/ Alex G. Patchen  
Jamie B.W. Stecher  
David J. Kanfer  
Alex G. Patchen  
900 Third Avenue  
New York, New York 10022  
(212) 508-6700  
*Attorneys for Defendants Rye Select Broad  
Market Fund, L.P. and Rye Select Broad  
Market Insurance Portfolio, LDC*